Dear Jim, 9/22/75

Enclosed is a copy of my today's letter to Herb McDonnell.

As you know, the only reason I agrred to be interviewed by CBS on any level is because I feared not doing it would be adverse to Jimmy's interest. As you also know I did not see Leiser the first two times he asked me to see him. I reported to you the when he did come here, ostensibly to prepare himself to prepare Rather to question me, he didn't bother to take any notes and didn't ask me the kinds of questions my own professional background tells me he should have asked.

The CBS move in court of which you learned only by the service of court papers only yesterday, a Sunday, in my belief is diametrically opposite the interest of Ray's defense.

It also confronts me with other ethical questions for which I will not now take time.

The combination of these and other factors - one of which is CBS' total disinterest for eight years and now an interest that aside from any political content it may have is clearly commercially motivated - also makes me have doubt about the intentions of many involved.

So, I am writing to tell you that I will be writing CBS and declining to appear on the show for reasons I will specify.

While there is no letter that those with the disposition to do so cannot misrepresent, I will make some of the reasons a matter of written record.

Had I declined prior to CBS' making of this record that would have risked endangering Jimmy's rights. However, with this record CBS' misrepresentation of my reasons will have to be deliberate.

They have you on tape already. You are not in the same position. They do not have me on tape.

When there is time I would like to go over all the papers served on you. Some of the items you told me about give me still other questions. But there is no rush on this. We both h ave other more important things to do now. Only if you have to make any further presentation to a court before you finish the appeal and send it off would I want to study this file sooner.

Sincerely,